

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENISE TUMELE,

Plaintiff,

No. 06-CV-10605-DT

vs.

Hon. Gerald E. Rosen

ROBERT SCOTT FACILITY, et al.,

Defendants.

**ORDER ADOPTING THREE REPORTS AND RECOMMENDATIONS
AND DISMISSING PLAINTIFF'S CLAIMS AGAINST FOUR DEFENDANTS**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on September 25, 2008

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This Section 1983 prisoner civil rights matter is presently before the Court on three Reports and Recommendations issued by United States Magistrate Judge Mona K. Majzoub on January 17, January 24 and May 5, 2008 [Dkt. Nos. 71, 72 and 77] in which the Magistrate Judge recommends that the motion for summary judgment filed by Defendant Darrell Monday be denied but that motions filed by Defendants Robert Scott Facility, Willie Honor, Kellie Tolliver and Sherilyn Butler be granted. Defendants filed objections to R&R No. 71 and Plaintiff filed objections to R&R No. 72. No objections were filed to R&R No. 77. The Court has reviewed the Magistrate Judge's Reports and Recommendation, the parties' respective Objections, and the Court's entire file of this

action, and for the reasons stated in the R&Rs, determines that the motions for summary judgment should be disposed of as recommended by the Magistrate Judge. Therefore,

IT IS HEREBY ORDERED that the Magistrate Judge's Reports and Recommendations of January 17, 2008 [**Dkt. # 71**], January 24, 2008 [**Dkt. # 72**], and May 5, 2008 [**Dkt. # 77**] be, and hereby are, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons stated by the Magistrate Judge, Defendant Monday's Motion for Summary Judgment [**Dkt. # 64**] be, and hereby is, DENIED.

IT IS FURTHER ORDERED that Defendants Robert Scott Facility, Willie Honor and Kellie Tolliver's Motion for Summary Judgment [**Dkt. # 61**] and Defendant Butler's Motion for Summary Judgment [**Dkt. # 75**] are GRANTED. Accordingly,

IT IS FURTHER ORDERED that Plaintiff's claims against Defendants Robert Scott Facility, Willie Honor, Kellie Tolliver and Sherilyn Butler are DISMISSED, with prejudice.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: September 25, 2008

I hereby certify that a copy of the foregoing document was served upon Denise Tumele and counsel of record on September 25, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager